

150611 230x 35.00
United States District Court

Attorney: **Calcagno & Assoc. Attys @**
County of Southern District of New York

Richard Abondolo, As Chairman of the Board
of Trustees of UFCW Local 342 Health C

Petitioner
Plaintiff(s), Index# 7798/07

-against-

AFFIDAVIT OF SERVICE

694 Burke Food Corp. d/b/a Pioneer
Supermarket a/k/a Burke Food Corp.

Respondent
Defendant(s).

STATE OF NEW YORK: COUNTY OF KINGS ss:

David Levine

BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO

THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 09/19/07 at 9:19am at 694 Burke avenue Bronx, NY 10467

deponent served the within Summons In A Civil Action; Rule 7.1 Stmt; Civil Coversheet;
Petition; Assind Judge's Rules; Instr. Proc & Guidelines for Electronic Ca
on 694 BURKE FOOD CORP. D/B/A PIONEER SUPERMARKET A/K/A BURKE FOOD CORP, se Filing
therein named.

INDIVIDUAL

by delivering a true copy of each to said defendants personally: deponent knew the person so served to be the person described as said defendant therein. (S)He identified (her) himself as such.

A.

Evelyn "doe"

CORPORATION/BUSINESS

a (domestic)(foreign) corporation/business by delivering thereat a true copy of each to

B. ~~xxx~~

Personally, deponent knew said corporation/business so served to be the corporation/business described in said summons as said defendant and knew said individual to be **Manager/Auth. to Accept** thereof.

SUITABLE AGE PERSON

by delivering thereat a true copy(ies) of each to a person of suitable age and

C.

discretion. Said premises is defendants (actual place of business)(dwelling house)(usual place of abode) within the state. (S)He identified (her)himself as of defendant.

AFFIXING TO DOOR, ETC.

by affixing a true copy(ies) of each to the door of said premises, which is defendants (actual place of business)(dwelling house)(usual place of abode) within the state. Deponent was unable, with due diligence, to find defendant, a person of suitable age and discretion or a work address thereat, having called there on

D.

MAILING USE WITH

C. & D.

Deponent also mailed a copy(ies) of same post paid by first class mail properly addressed to defendant(s) at the aforementioned address in an envelope marked "personal & confidential" and not indicating that the communication was from an attorney or concerned an action against the defendant(s) and deposited said envelope in a post office official depository under exclusive care and custody of the United States Postal Service within New York State on

Deponent further states that he describes the person actually served as follows

Sex	Skin Color	Hair Color	Age (Approx)	Height (Approx)	Weight (Approx)
female	asian	black	40	5'4	130

MILITARY SERVICE

Above person was asked whether the defendant(s) was(were) in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the defendant(s) is(are) not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

USE IN NYC CIVIL CT.

The language required by NYCRR (e), (f) & (h) was set forth on the face of the said summons(es).

SUPREME COURT ACTION

Papers so served were properly endorsed with the index number and date of filing.

Sworn before me on 09/20/07

NEIL J. SCHRAGER
Notary Public State of New York
NO. 24-4984776
Qualified in Kings County
Commission Expires July 29, 2009

LICENSE NO. 0778982
David Levine